

In the United States Federal
district Court for middle
district montgomery AL
36130

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U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

LONNIE Cannon #238498)
Plaintiff) CIVIL Action No #
vs) 2:06 CV-674-WKW
Doctor SEDET and)
Prison Health Services)
Defendants)



Affidavit and motion of
Plaintiff to Strike Defendants
motion to Dismiss FPCP Rule
56(e) At FPCP Rule 36

I

- 1) The Plaintiff is over the age of twenty-one, and is competent to testify to matters stated here in
- 2) As and answer to Defendants motion of August 11, 2006, where Defendants seeks a more definite statement
- 3) The Plaintiff Alledged that Doctor SEDET at Bullock Prison, was Deliberately Indifferent to Plaintiff medical needs, for 429 U.S At 106

- 4) The Defendants Received A Copy of the 42 U.S.C. 1983 filed At 111 S.Ct. 2326 & 2327 the Defendant's Is Aware that Bullock Prison-(PMS) Person Medical Service, Is A Person Within the Meaning of Monell vs. Ny City Social Services 436 U.S. [] Goodson v. City of Atlanta, 763 F.2d 1381 (11th Cir 1985)
- 5) The Plaintiff Affidavit Here In on Personal Knowledge (frap) Rule 56(e) Admits, that (PMS) Has Openly Denied Plaintiff, Proper Medical Care, and Same Violated 429 U.S. At 106. Citing Smith v. Jenkins 919 F.2d 90 - 93 (7th Circuit 1990)
- 6) Personal Knowledge by Plaintiff's Claim of Deliberate Indifference Stated By Actions that PMS & Doctor Sedjet Deviated From Professional Treatment (1990 Citing Jackson v. Duckworth 955 F.2d 21-22 (7th Cir. 1992)

7) RISING to the level
of Eighth Amendment Claims
the Plaintiff Invokes, Both The
Objective and The Subjective
Component, of (frcp) Rule 56(e)
... in which the Act and Practice
By the Defendant Is Prohibited
or ... Is the Intent ... to
Deny Proper medical care
Violated 935 f.2d 21-22
429 U.S. At 103

- 8) In which the TOTAL Defendant
must have acted with
Obduracy for 111 S.Ct 2326
2327 cutting LUGAR v.S Edmond-
SON OIL Co. 457 U.S. 922 At 937
where Defendants must be
Classified AS STATE ACTORS ,
9) when the ACTS IN ... BAD
FAITH MANNER, to Deny
Any Inmate of Proper medical
care .

10) Defendants motion to Dismiss
must Be Denied, BEcause
on The face of Eightment
Amendment Claim, the
Plaintiff (PRCP) at 8 (a)(2)
Contends, By Defendants own
Admissions, from Eastland to
Bullock, 'All Previous Medical
Help Has Been Denied Plaintiff,'

Certificate of Service
T. Lonnie Cannon, 238498
Did Here by Address
the Defendants motion with
more Definitive Statement as
Requested, Fed rules Evidence
Rule 201

Done this August 12th, 2006
Placing Same In Office
of United States Clerk
Po. Box 711, Montgomery, AL
36130

Preamble:
PRCP 23(a):

13/ Lonnie Cannon
#238498, P.S.BOX 5107
UNION SPRINGS, AL 36089